

Exhibit
“4”

Bianco Deposition Transcript Excerpt

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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5 DARLENE CARTER, an individual;)
and DAVID BIANCO, an)
6 individual,)

7 Plaintiffs,)

8 vs.)

Case No.
2:19-CV-01779
APG-BNW

9 LIBERTY MUTUAL INSURANCE, a)
10 foreign entity; LIBERTY)
INSURANCE CORPORATION, et al.,)

VOLUME II

11)
12 Defendants.)

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15 VIDEOCONFERENCE DEPOSITION OF DAVID BIANCO

16 TUESDAY, JANUARY 12, 2021

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24 REPORTED BY: KATHERINE M. SILVA, CCR #203
JOB NO: 707323

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DAVID BIANCO - 01/12/2021

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|---|--|
| <p style="text-align: right;">Page 14</p> <p>1 repair trades that came in before, the effect</p> <p>2 would be that the Contractors Board would not</p> <p>3 hold those earlier repair trades responsible; is</p> <p>4 that correct?</p> <p>5 MR. MACK: Object to form.</p> <p>6 THE WITNESS: That's what I was told by</p> <p>7 the Contractors Board.</p> <p>8 Q. (BY MR. GREEN) And do you agree with</p> <p>9 the way I described it?</p> <p>10 A. I do.</p> <p>11 Q. For --</p> <p>12 In our last discussion, you explained</p> <p>13 to me the issues and problems you were having</p> <p>14 with Dallaswhite and that they were eventually</p> <p>15 terminated.</p> <p>16 Was there a reason that you did not</p> <p>17 terminate Dallaswhite earlier?</p> <p>18 A. No. Because I was going by Liberty</p> <p>19 Mutual. They were the ones that had to make the</p> <p>20 decision, I mean, to terminate them because I</p> <p>21 called -- we called a few times and we were just</p> <p>22 working something with them to get my house</p> <p>23 fixed. That's all I wanted was to get my house</p> <p>24 fixed and that's why. So they are the ones</p> <p>25 that -- they are the ones that terminated it.</p> | <p style="text-align: right;">Page 16</p> <p>1 have it memorized.</p> <p>2 Q. The notes you are referring to, those</p> <p>3 are Ms. Carter's notes again?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Do you believe it's possible that the</p> <p>6 person that actually made statements to the</p> <p>7 effect that they were referring you to</p> <p>8 Dallaswhite was someone from Innovation?</p> <p>9 A. The ones that recommend Dallaswhite?</p> <p>10 Q. Do you believe that it's possible that</p> <p>11 those people were from Innovation?</p> <p>12 A. I don't know because we -- I talked to</p> <p>13 Innovation maybe one or two times maybe, and just</p> <p>14 don't believe I have the answer. My wife is the</p> <p>15 one who spoke to them. I don't know the answer</p> <p>16 to that one.</p> <p>17 Q. Is it more correct to say you don't</p> <p>18 know who referred Dallaswhite?</p> <p>19 A. I know it was Liberty Mutual that</p> <p>20 referred them. I just don't know the name of the</p> <p>21 person who did from the office.</p> <p>22 Q. When was that referral made?</p> <p>23 A. When was that referral made? I don't</p> <p>24 have the date. I'm sure I have the notes from my</p> <p>25 wife, she took the notes.</p> |
| <p style="text-align: right;">Page 15</p> <p>1 Q. And what you said there, it sounds like</p> <p>2 your understanding was it was Liberty that</p> <p>3 terminated Dallaswhite.</p> <p>4 Do I understand that correctly?</p> <p>5 A. Correct, because when I called, I was</p> <p>6 concerned about their work performance.</p> <p>7 Q. And in terms of why you did not fire</p> <p>8 Dallaswhite sooner is because you believe that</p> <p>9 you could not because you were required to use</p> <p>10 Dallaswhite?</p> <p>11 A. Correct. That's what I was -- I was</p> <p>12 referred by Liberty Mutual. They are the ones</p> <p>13 that send them to my house.</p> <p>14 Q. And in terms of the referral that you</p> <p>15 mentioned there, what was the name of the person</p> <p>16 that made that referral?</p> <p>17 A. The person that made the referral at</p> <p>18 the time? I don't have the -- I don't remember,</p> <p>19 but I'm sure I have the notes on that. It's been</p> <p>20 a while so I just don't remember which person was</p> <p>21 the -- we were dealing with two people I believe</p> <p>22 at the time, I mean, so I don't remember.</p> <p>23 Q. I didn't mean to interrupt, I'm sorry.</p> <p>24 A. I just don't want to give you the wrong</p> <p>25 name or the wrong answer because I just don't</p> | <p style="text-align: right;">Page 17</p> <p>1 Q. And is it correct to say that -- well,</p> <p>2 let me ask you this.</p> <p>3 A. Yes.</p> <p>4 Q. Were you part of the conversation</p> <p>5 wherein there was a referral by Liberty Mutual?</p> <p>6 A. I don't remember. I don't think so.</p> <p>7 Q. Is it correct to say that you believe</p> <p>8 that someone from Liberty Mutual referred</p> <p>9 Dallaswhite, but you are not able to say when</p> <p>10 that occurred or who made that statement or</p> <p>11 whether it was written down?</p> <p>12 A. Yes, sir. But I do -- we do have the</p> <p>13 notes and -- my wife has got the notes. She's</p> <p>14 the one that takes the notes.</p> <p>15 Q. Do you specifically know if that</p> <p>16 information is in those notes?</p> <p>17 A. I'm not a hundred percent sure, but I'm</p> <p>18 sure those notes -- my wife is very specific when</p> <p>19 she takes notes.</p> <p>20 Q. If Ms. Carter gave testimony to the</p> <p>21 effect that she believed that the referral was</p> <p>22 delivered by Innovation, it sounds like you have</p> <p>23 no reason to dispute that; is that true?</p> <p>24 A. I couldn't answer that -- that</p> <p>25 question.</p> |